



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Berdini, et al.	Attorney Docket No.:	2245.004A
Serial No.:	10/564,166	Examiner:	Unknown
Filed:	Jan. 3, 2006	Group Art Unit:	Unknown
		Confirmation No.:	7842

Title: BENZIMIDAZOLE DERIVATIVES AND THEIR USE AS PROTEIN KINASES INHIBITORS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2006.

Edward Timmer

Attorney for Applicants  
Reg. No. 46,248

Date of Signature: August 3, 2006

TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/  
ELECTED OFFICE (DO/EO/US)**

Dear Sir:

This is a Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/elected Office (DO/EO/US), mailed from the U.S. Patent and Trademark Office May 3, 2006. In light of the petition for a one-month extension and enclosed fee, a response to the Notification is due by August 3, 2006, this Response is timely filed.

Applicant: Berdini et al.  
Serial No.: 10/564,166  
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Atty. Dkt. No.: 2245.004A

Enclosed herewith are:

- (a) One (1) return receipt postcard;
- (b) A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (c) Preliminary Amendment (22 pages);
- (d) Combined Amendment & Petition for Extension of Time;
- (e) Check in the amount of \$775.00 is enclosed (\$65.00 for the late filing fee surcharge, \$650.00 for excess; \$60.00 for one-month extension);
- (f) Executed Declaration and Power of Attorney (4 sets);
- (g) Information Disclosure Statement; and
- (h) References (4 documents)

The Commissioner is hereby authorized to charge any deficiency or credit any refund to

Deposit Account No. 08-1935.

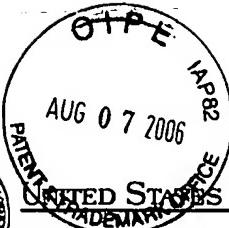
Respectfully submitted,

  
Edward Timmer  
Attorney for Applicant  
Registration No. 46,248

08/10/2006 GFREY1 00000001 10564166  
04 FC:2251 60.00 OP

Dated: August 3, 2006

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,166	Valerio Berdini	2245.004A
INTERNATIONAL APPLICATION NO.		PRIORITY DATE
PCT/GB04/02824		07/05/2004 07/03/2003

23405  
 HESLIN ROTHENBERG FARLEY & MESITI PC  
 5 COLUMBIA CIRCLE  
 ALBANY, NY 12203

CONFIRMATION NO. 7842  
**371 FORMALITIES LETTER**



\*OC000000018665597\*

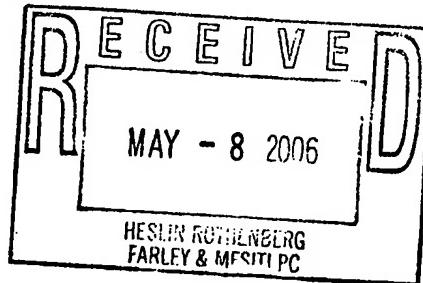
Date Mailed: 05/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/03/2006
- Copy of the International Search Report filed on 01/03/2006
- Preliminary Amendments filed on 01/03/2006
- U.S. Basic National Fees filed on 01/03/2006
- Priority Documents filed on 01/03/2006
- Specification filed on 01/03/2006
- Claims filed on 01/03/2006
- Abstracts filed on 01/03/2006

DOCKETED 7/3/06



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-435** for a Small Entity.

- \$65 Surcharge.

(A previous payment of \$500 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

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Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,166	PCT/GB04/02824	2245.004A

FORM PCT/DO/EO/905 (371 Formalities Notice)